



## MARION COUNTY PROSECUTING ATTORNEY

TERRY R. CURRY, PROSECUTOR

251 E. OHIO ST., SUITE 160

INDIANAPOLIS, INDIANA 46204

PHONE (317) 327-3522 • FAX (317) 327-3531

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### ***Marion County Prosecutor Terry Curry announces decision to seek death penalty against Thomas Hardy***

(Indianapolis, Ind.) Marion County Prosecutor Terry Curry announced today that the Marion County Prosecutor's Office has filed a request with the court to seek the death penalty against Thomas Hardy. Hardy has been charged with murder in the death of Indianapolis Metropolitan Police Officer David Moore.

In the request for the death sentence, it is alleged the following three aggravating circumstances existed at the time of Hardy's offense:

- Aggravating Circumstance Number 1:  
That Thomas Hardy did kill David Moore, a law enforcement officer with the Indianapolis Metropolitan Police Department, while David Moore was acting in the course of duty, in violation of I.C. 35-50-2-9 (b) (6) (A).
- Aggravating Circumstance Number 2:  
That Thomas Hardy did kill David Moore, a law enforcement officer with the Indianapolis Metropolitan Police Department, and, further, the murder was motivated by an act Officer David Moore performed while acting in the course of duty, to-wit: the murder was motivated by the fact that Officer David Moore conducted a traffic stop of a vehicle driven by Thomas Hardy, in violation of I.C. 35-50-2-9 (b) (6) (B).
- Aggravating Circumstance Number 3:  
Thomas Hardy did murder David Moore and at the time of committing said crime of Murder, Thomas Hardy was on parole having been released from the Indiana Department of Correction on or about October 27, 2009, in violation of I.C. 35-50-2-9 (b) (9).

"This office followed a deliberative and thoughtful process in making our decision to seek the death penalty," Prosecutor Curry said. "We did so in order to make a reasoned judgment, and based our decision on a number of factors."

"Ultimately, we continued to come back to one consideration," Curry continued.

"We believe the evidence will clearly show that this senseless killing was intentional while Officer Moore was doing nothing more than performing his routine duties. As

we should all realize from the emotional outpouring after Officer Moore's death, this is more than a crime against our police officer. It is a crime against our community. Anything less than the maximum possible punishment minimizes the sacrifice of Officer Moore and all public safety officers who have lost their lives while serving this county."

The Marion County Prosecutor's Office, even prior to this tragic incident, had formulated a committee review procedure to evaluate the circumstances of any homicide which would involve capital punishment.

In addition to murder, Hardy is also charged with robbery (Class B Felony) and unlawful possession of a firearm by a serious violent felon (Class B Felony).